COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2021, Legislative Day No. 9

Bill No. 54-21

Mr. David Marks, Councilman

By the County Council, May 3, 2021

A BILL
ENTITLED

AN ACT concerning

Zoning Regulations – Dormitory and Purpose Built Student Housing

FOR   the purpose of providing the definitions of "Dormitory" and "Purpose Built Student Housing" in the Baltimore County Zoning Regulations; providing supplemental regulations for Purpose Built Student Housing; and generally relating to Dormitories and Purpose Built Student Housing.

BY   adding

Section 101.1, the definition of "Dormitory" and "Purpose Built Student Housing", listed alphabetically
Baltimore County Zoning Regulations, as amended

BY   repealing and re-enacting, with amendments

Section 441
Baltimore County Zoning Regulations, as amended

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
COUNTY, MARYLAND, that the Baltimore County Zoning Regulations read as follows:

ARTICLE 1 – GENERAL PROVISIONS

Section 101 – Definitions

§ 101.1. Word usage; definitions.

Words used in the present tense include the future; words in the singular number include
the plural number; the word "shall" is mandatory. For the purposes of these regulations, certain
terms and words are defined below.

Any word or term not defined in this section shall have the ordinarily accepted definition
as set forth in the most recent edition of Webster's Third New International Dictionary of the
English Language, Unabridged.

DORMITORY – A BUILDING USED FOR THE HOUSING OF PARTICIPANTS
LOCATED ON AN INSTITUTIONAL CAMPUS SUCH AS A HEALTHCARE OR
EDUCATIONAL FACILITY, CAMP, MONASTERY, OR A RELIGIOUS INSTITUTION.

PURPOSE BUILT STUDENT HOUSING - A BUILDING THAT:

A. IS DESIGNED AND MARKETED TO BE USED FOR THE PRIMARY
PURPOSE OF HOUSING STUDENTS, BOTH UNDERGRADUATE AND GRADUATE,
RESIDENT COUNSELORS OR ADVISORS;

B. IS NOT LOCATED ON THE CAMPUS OF A SPECIFIC INSTITUTION;

C. IS PRIVATELY OWNED OR OWNED BY THE INSTITUTION;

1   D. CONSISTS OF THREE OR MORE UNITS AND CHARGES RENT OR

2 LIVING EXPENSES ON A PER BED BASIS;

3   E. HAS A MANAGEMENT PLAN THAT ADDRESSES SECURITY,

4 PARKING, TRANSPORTATION, AND CODE OF CONDUCT; AND

5   F. COMPLIES WITH THE SUPPLEMENTAL REGULATIONS AS SET

6 FORTH IN SECTION 441.

7

8   ARTICLE 4 – SPECIAL REGULATIONS

9   Section 441 – PURPOSE BUILT STUDENT HOUSING; Dormitories [in M.L.-I.M. Zone].

10

11 § 441.1. PURPOSE BUILT STUDENT HOUSING.

12   A. PURPOSE BUILT STUDENT HOUSING SHALL BE PERMITTED IN ALL

13 ZONES EXCEPT THE FOLLOWING: D.R. 1, D.R. 2, D.R. 3.5, D.R. 5.5, R.O.A., R.O., AND

14 ALL R.C. ZONES.

15   B. IF LOCATED IN A D.T., I.M., C.C.C., OR C.T. OVERLAY DISTRICT, THE

16 GROUND FLOOR OF EACH BUILDING SHALL INCLUDE RETAIL OR OFFICE SPACE

17 IF THE MAJORITY OF THE REST OF THE STREET WHERE IT IS LOCATED HAS

18 GROUND LEVEL OFFICE OR RETAIL SPACE, UNLESS IT CAN BE DEMONSTRATED

19 THAT SUCH USE WOULD NOT BE VIABLE.

20   C. PURPOSE BUILT STUDENT HOUSING SHALL BE SUBJECT TO THE

21 FOLLOWING ADDITIONAL REGULATIONS:

1   1. EACH BUILDING OR DEVELOPMENT SHALL BE REVIEWED BY THE

2   DESIGN REVIEW PANEL FOR CONTEXT WITHIN THE COMMUNITY IN WHICH IT IS

3   PROPOSED.

4   2. ALL REGULATIONS SHALL APPLY TO BOTH NEWLY

5   CONSTRUCTED UNITS AND BUILDINGS THAT ARE BEING RENOVATED OR

6   CONVERTED.

7   3. ALL BUILDINGS SHALL HAVE A TRANSIT STOP PROVIDING

8   TRANSPORTATION TO AREA INSTITUTIONS AND CONTAIN STORAGE FOR OTHER

9   MODES OF TRANSPORTATION SUCH AS BICYCLES AND SCOOTERS.

10   4. A MANAGEMENT PLAN SHALL BE SUBMITTED TO THE

11   DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS AT THE TIME OF

12   SUBMISSION OF THE DEVELOPMENT PLAN AND MAY BE REVIEWED AS PART OF

13   THE DESIGN REVIEW PROCESS IN ADDITION TO BEING REVIEWED AND

14   APPROVED BY THE PLANNING BOARD.

15   5. A PERCENTAGE OF UNITS, AS DETERMINED BY THE DIRECTOR OF

16   THE DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS IN

17   CONJUNCTION WITH THE DESIGN REVIEW PANEL, SHALL BE PROVIDED AT A

18   BELOW MARKET RATE FOR STUDENTS RECEIVING A PELL GRANT OR OTHER

19   NEED-BASED FINANCIAL ASSISTANCE.

20   6. EACH BUILDING OR DEVELOPMENT MAY EXCEED THE

21   APPLICABLE BULK AND DENSITY REGULATIONS BY 150%.

22   D. PURPOSE BUILT STUDENT HOUSING SHALL NOT BE CONSIDERED

23   MULTI-FAMILY HOUSING, OR ROOMING AND BOARDING HOUSES.

1

§ [441.1] 441.2. DORMITORIES; Conditions for use within Owings Mills Growth Area.

Dormitories for the housing of students attending an accredited higher-education

institution are permitted by right in an M.L.-I.M. Zone that is within the Owings Mills Growth

Area, as adopted in the Baltimore County Master Plan 2010, and if combined tract areas

developed for dormitories do not occupy more than 15 percent of the contiguous area of

industrial zoning in which they are located.

§ [441.2] 441.3. DORMITORIES; Setback and building requirements.

Dormitories constructed in accordance with Section 253.1.C.8 and this section and

associated retail or accessory uses shall be governed by the following regulations only:

A. Minimum setback requirements:

1. From a building face (side, rear, or front) to a public street right-of-

way: 25 feet.

2. From a building face (side, rear, or front) to a building face (side, rear,

or front): 30 feet.

3. From a building face to tract boundary: 40 feet for front or rear faces

and 30 feet for side faces.

4. From a building face (side, rear, or front) to edge of paving of a private

street: seven feet.

B. Building length and height requirements:

1. Maximum building length: 240 feet, or up to 300 feet if approved by

the Zoning Commissioner through a special hearing.

1   2. Maximum building height: 60 feet.

2

3   SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by

4   the affirmative vote of five members of the County Council, shall take effect on June 21, 2021.